

REMARKS

Claims 1-34 and 40 are pending in this application. Claim 40 has been amended and claims 41-45 have been cancelled.

Summary of Telephone Interview

Applicant wishes to thank Examiners Hotaling and Pierce for the courtesies extended during the telephone interview on January 24, 2008. The participants also included Applicant's representatives, Joey Yao and Justin Swindells. During the telephone interview, Applicant's representatives disagreed with the rejection of independent claim 1 based on U.S. Pat. No. 6,644,611 to Tai ("Tai") and U.S. Pat. No. 6,665,175 to deBoer et al. ("deBoer"), particularly because it was previously acknowledged in the personal interview of June 21, 2007 that the proposed amendment to independent claim 1 filed on June 8, 2007 would overcome such a rejection. (See Interview Summary dated June 21, 2007.) In addition, Applicant's representative argued against the rejection of claims 41-45 based on U.S. Pat. No. 6,623,006 to Weiss ("Weiss") in view of deBoer. According to the Interview Summary dated January 29, 2008, the Examiners have agreed to reconsider the rejections upon filing of this response. During the telephone interview, Examiner Hotaling indicated that a non-final Office Action would be mailed, if upon reconsideration, claim 1 overcomes the § 103 rejections based on the previous combination of Tai and deBoer. Applicant respectfully requests reconsideration of the claim rejections, particularly with respect to claims 1 and 40, and the finality of the present Office Action. If a notice of allowance is not issued, Applicant respectfully requests a non-final Office Action to afford Applicant a fair and full opportunity to reply to the extent that any new rejections are maintained therein.

Rejections Under 35 U.S.C. § 103

Claims 1 and 28 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tai in view of deBoer. With respect to claim 1, as mentioned in the Interview Summary, Applicant and the Examiner has already reached an agreement on June 21, 2007, that claim 1 as amended on June 8, 2007, is patentable over Tai in view of deBoer. Applicant respectfully traverses the rejection, because the applied references, alone or in combination, fail to disclose each and every limitation recited by independent claims 1 and 28. In particular, claim 1 recites "the first trunnion support coupled to a first interior surface of the gaming

machine,” “the second trunnion support coupled to a second interior surface of the gaming machine,” and “the video display assembly in a maintenance position allowing operator access to an interior area of the gaming machine.” Similarly, claim 28 recites “a first trunnion support coupled to a bottom interior surface of a housing frame characterizing an interior area of the gaming machine,” a second trunnion support coupled to the bottom interior surface,” and “the video display in a maintenance position allowing operator access to the interior area.”

First, Tai and deBoer fail to teach or suggest applying their systems to a gaming machine. Instead, as Tai explains, “[t]he adjustable incline angle structure disclosed by the present invention is mainly for use with industrial computers” that are “portable.” (Tai, col. 1, lines 13-14; col. 2, lines 10-12.) In addition, deBoer merely discloses an adjustable computer monitor. (*See* deBoer, col. 3, lines 45-53.) The Examiner asserts that a “‘computer’ is capable of playing wagering games.” (Office Action, p. 4, lines 9-10.) However, the computers described by Tai and deBoer are not actual gaming machines. Claims 1 and 28 do not recite an apparatus “capable of playing wagering games” but rather affirmatively recite limitations relating to gaming machines and wagering games.

Moreover, neither Tai nor deBoer discloses a gaming machine with an “interior area” that can be accessed by an operator when the video display is in a maintenance position as recited by claims 1 and 28. In addition, Tai and deBoer fail to disclose first and second trunnion supports that are coupled to such an interior area. According to the Examiner, the circular hole 13 of the receiver element 10 provides the first and second trunnion supports. (Office Action, p. 4, lines 9-10.) However, the Examiner has not established what interior area is coupled to the circular hole 13 and how this interior area can be accessed by an operator when the video display is in a maintenance position.

Furthermore, the teachings of Tai are not suitable for a gaming machine. As discussed previously, the structure taught by Tai is intended mainly for use with portable industrial computers, and as such, may not be able to support a display for a gaming machine. In addition, the receiver element 10 of Tai pivots at a base 40 as shown in FIG. 3. Assuming the receiver element 10 were combinable with a gaming machine to support a display, the receiver element 10 would not provide useful access to the interior of the gaming machine. In particular, the receiver element 10 would pivot the entire display, from its bottom to its top, toward the person accessing the machine. This would position, or “push,” the person farther from the interior of the machine (with the display therebetween) and would actually

obstruct the person from sufficient access. Thus, Tai fails to provide “a maintenance position allowing operator access to the interior area” as recited in claims 1 and 28. As the present specification explains, “[a]n advantageous feature of the invention is easy operator access to the interior of the gaming machine, behind the display, without removal of the display from the gaming machine.” (Present specification as filed, paragraph [0024].)

Likewise, the teachings of deBoer are also not suitable for a gaming machine. As shown for example in FIGS. 1 and 2 of deBoer, to enable any type of pivoting of the monitor 40, the monitor 40 must first travel vertically along stanchions 70 and 72. As such, assuming that the monitor structure of deBoer could be combined with a gaming machine, the gaming machine would have to be modified to provide sufficient space to accommodate this substantial vertical movement (approximately half of the height of the display). Gaming machines are dimensioned to satisfy aesthetic, practical, and/or regulatory requirements. Therefore, modifying a gaming machine to permit combination with the teachings of deBoer would be impractical and undesirable. As the present specification also explains, “[a]nother advantageous feature of the invention is easy operator access to the sides and back of the display without removal of the display from the gaming machine.” (Present specification as filed, paragraph [0024].) By requiring vertical movement before the monitor 40 can pivot may prevent access to the back of the display.

Accordingly, due to the possible problems that may arise from combining the teachings of Tai and deBoer with a gaming machine, the results of the combination are not sufficiently predictable to yield the desired results described above, and therefore, one of ordinary skill in the art would not find it obvious to combine the references with a gaming machine to produce the claimed invention. Indeed, the problems above would actually teach away from employing the possible combination.

In sum, Tai and deBoer, alone or in combination, fail to teach or suggest a gaming machine with an interior area that can be accessed by an operator when the video display is in a maintenance position. Furthermore, the teachings of Tai and deBoer are not combinable with a gaming machine to predictably provide such access to the interior of a gaming machine. As a result, withdrawal of the rejection of claims 1 and 28 is respectfully requested. In addition, dependent claims 2-8 and 29-33 are allowable at least for the same reasons as base claims 1 and 28.

Claims 9, 10, 33, and 34 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tai and deBoer in further view of U.S. Pat. No. 6,135,884 to Hedrick et al. Applicant

respectfully submits that dependent claims 9, 10, 33, and 34 are allowable at least for the same reasons as base claims 1 and 28.

Claims 40-45 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Weiss in view of deBoer. Applicant respectfully submits that the applied references, alone or in combination, fail to disclose each and every limitation recited by independent claim 40 as currently amended. In particular, claim 40 has been amended to include the limitations of now cancelled dependent claims 41-45 so that claim 40 now recites “a trunnion coupled to the video display” and “the trunnion arrangement including: a trunnion bracket having the trunnion disposed thereon at the axis; a first hole and a second hole disposed in the trunnion bracket; a trunnion support mounted to the housing, the trunnion support configured to receive the trunnion; and a pin structure to lock the video display in the maintenance position allowing operator access to an interior area of the housing, the pin structure being disposed in the trunnion support and configured to project into the first hole to engage the video display in the game play position and to project into the second hole to engage the video display in the maintenance position allowing operator access to the interior area of the housing.”

Referring to Weiss, the Examiner asserts that the sides 22 and 28 correspond to the trunnion bracket recited in claim 40 and the holes 33 correspond to first and second holes disposed in the trunnion bracket as also recited in claim 40. (*See* Office Action, p. 3, lines 12-16.) The teachings of Weiss, however, fail to support the Examiner’s assertion. As FIG. 1 of Weiss illustrates, the holes 33 are not disposed in the sides 22 and 28 as would be required by claim 40 if the sides 22 and 28 were to correspond with the trunnion bracket as the Examiner argues. Rather, the holes 33 are actually disposed in the tabs 34 and 36, which, according to the Examiner, correspond to the trunnion support recited in claim 40. (*See* Weiss, col. 4, line 4; FIG. 1.)

Furthermore, the Examiner explains that the pin structure of claim 40 is taught by the pin 44 of Weiss. (*See* Office Action, p. 3, line 20-p. 4, line 3.) Claim 40 requires the pin structure “to project into the first hole to engage the video display in the game play position and to project into the second hole to engage the video display in the maintenance position allowing operator access to the interior area of the housing.” As such, according to the Examiner’s reading of Weiss, the pin 44 would have to project into the holes 33. FIG. 1 of Weiss, however, clearly shows that the pin 44 engages the notch 46, and cannot project into the holes 33. (*See also* Weiss, col. 4, lines 8-9.) Moreover, it appears that the holes 33 fulfill similar functions, i.e., receiving the pins 30 and 32. As such, there is absolutely no

suggestion that one of the holes 33 provides the video display with a game play position while the other hole 33 provides the video display with a maintenance position, as would be further required by claim 40. Accordingly, Weiss fails to teach or suggest each and every element recited in claim 40.

Furthermore, deBoer fails to cure the deficiencies of Weiss. For example, deBoer fails to teach or suggest “a first hole and a second hole disposed in the trunnion bracket” and “the pin structure being disposed in the trunnion support and configured to project into the first hole to engage the video display in the game play position and to project into the second hole to engage the video display in the maintenance position allowing operator access to the interior area of the housing.” The Examiner asserts that the pivot pin 160 described by deBoer at col. 5, lines 39-60 corresponds to the pin structure recited in claim 40. (*See Office Action, p. 3, lines 3-4.*) However, deBoer explains that the “pivot pin 160 extend[s] along transverse axis 92 of each stanchion and pivotally connect[s] body 154 of first pivot [lock] 150 to each stanchion. . . .” (deBoer, col. 5, lines 49.) The Examiner suggests that stanchions 70 and 72 correspond to the trunnion support recited in claim 40. However, as shown in FIGS. 10 and 11A-C of deBoer, the pivot pin 160 merely extends transversely between two sides of a stanchion and does not extend into either a first or second hole of a trunnion bracket as required by claim 40. Indeed, deBoer is completely silent on any pin projecting into a first hole to provide the video display with a game play position and projecting into a second hole to provide the video display with a maintenance position.

Therefore, in view of the foregoing, Weiss and deBoer, either alone or in combination, fail to provide sufficient grounds for the rejection of amended claim 40. Accordingly, withdrawal of the rejection of claim 40 is in order and is respectfully requested. In addition, the rejection of dependent claims 41-45 has been rendered moot in view of their cancellation.

Claims 11-27 are rejected under 35 U.S.C. § 103(a) as being unpatentable over U.S. Pat. App. Pub. No. 2004/0018870 to Cole (“Cole”) in view of deBoer. Applicant respectfully traverses the rejection, because the applied references are not combinable in the manner suggested by the Examiner to produce the invention recited by claims 11 and 19. In particular, claims 11 and 19 both recite “the first trunnion bracket having a first trunnion disposed thereon at a center vertical rotating axis of the video display” and “the second trunnion bracket having a second trunnion disposed thereon at the center vertical rotating axis.”

The Examiner concedes that “Cole fails to disclose a first and second trunnion disposed on first and second trunnion brackets at a center horizontal rotating axis of the video display.” (Office Action, p. 9, lines 18-20.) To cure this deficiency, the Examiner asserts that the knob 60 of deBoer teaches a first and second trunnion on a horizontal rotating axis, and that the knob 60 can be combined with the teachings of Cole. (See Office Action, p. 9, line 21-p. 10, line 4.) However, as discussed previously, the teachings of deBoer are not suitable for a gaming machine, as deBoer requires potentially undesired modification of the dimensions of the gaming machine to enable the monitor 40 to move vertically into a pivoting position. FIG. 8 of Cole, which is specifically cited by the Examiner, shows that the display 190 is coupled to the door 34 against a window 66. (See also Cole, paragraph [0094].) Even if the teachings of deBoer could be applied to the gaming apparatus of Cole, the result would be a display 190 that merely moves vertically along the window 66 and the inside surface of the door 34. As the display 190 would be adjacent to the inside surface of the door 34, the inside surface would prevent the display 190 from pivoting even if it permitted the vertical movement. Moreover, there would be no motivation to modify the gaming apparatus of Cole as the display is coupled to the door 34 and access to the interior of the apparatus is provided when the door 34 is opened.

Accordingly, even if deBoer could be combined with Cole, the combination would not result in a rotating axis as required by claims 11 and 19. Therefore, withdrawal of the rejection of claims 11 and 19 are in order and respectfully requested. In addition, dependent claims 12-18 and 20-27 are allowable at least for the same reasons as base claims 11 and 19.

CONCLUSION

It is the Applicant's belief that all the pending claims are now in condition for allowance, and thus reconsideration of this application is respectfully requested. If there are any matters which may be resolved or clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at the number indicated.

Dated: February 4, 2008

Respectfully submitted,

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